

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10259 /2026

[@ SLP (C) 27551/2026 @ DIARY NO.66929/2025]

G SATYANARAYAN

Appellant(s)

VERSUS

ODISHA STATE

WAREHOUSING CORPORATION & ORS.

Respondent(s)

O R D E R

Delay condoned.

Leave granted.

The present appeal has been filed against the impugned order dated 11.01.2024 passed by the High Court of Orissa at Cuttack in W.P.(C) No. 16324/2018, whereby, the Writ Petition along with the Interlocutory Application ('I.A.'), filed by the appellant was dismissed.

The appellant had originally filed the writ petition seeking to quash the Letter No.783/OSWC/Com/TR/TEN/02/2013 dated 21.02.2018 issued by the respondent no. 1 - Odisha State Warehousing Corporation ('OSWC') to the appellant for realization of differential amount for Handling and Transportation operations conducted at three warehouses, for the period between 01.08.2015 to 31.03.2017. A further prayer was made to quash the decision of the Food Corporation of India ('FCI') for

realization of differential amount of extended period of 2013 tender from the bills of 2017 tender.

Vide order dated 31.05.2021, the High Court dismissed the writ petition relying upon an order passed in another writ petition. The same was challenged before this Court in SLP (C) No. 12387/2021, alleging that the judgement relied upon by the High Court was factually distinct with the appellant's case.

Pursuant to the order dated 05.01.2022 passed by this Court in SLP (C) No. 12387/2021, the appellant was given liberty to file a Review Petition before the High Court against the order dated 31.05.2021. The said Review Petition was allowed and the Writ Petition came to be restored.

By way of two representations dated 11.07.2023, the appellant had addressed the deductions from the bills generated by him for the tender executed on 01.04.2017, during the extended period of works carried out as per the previous agreement dated 26.06.2013. Since, the same was not replied to, the appellant filed an I.A. No. 11612/2021 in the writ petition seeking a direction to the respondents - Managing Director, OSWC and General Manager, FCI to decide his representations dated 11.07.2023 pending before them.

The High Court in the impugned order noted that a similar representation of the appellant was disposed of on 13.07.2018 by the respondent no.1, in compliance of the order dated 16.05.2018 passed by the High Court. Hence, the prayer for disposal of representation in the I.A. No. 11612/2021 could not be sustained. Aggrieved by the same, the appellant is before this Court.

We have heard the learned counsel appearing for the parties.

The limited submission of the learned Senior Counsel appearing for the appellant is that the High Court did not take into consideration the application for amendment of the writ petition (I.A. No. 9956/2022), filed by the appellant. By way of the amendment application, the appellant had sought to quash the order dated 13.07.2018. The grievance of the appellant is with respect to the rejection of the writ petition, in which case the previous rejection order, could not have been detrimental to him.

We find force in the submission made by the learned Senior counsel appearing for the appellant.

The impugned order cannot be sustained, as the issues raised by the appellant have not been considered on their own merits by the High Court.

In such view of the matter, the High Court is directed to allow the application for amendment being

I.A. No. 9956/2022 and, thereafter, decide the Writ Petition on its own merits, in accordance with law.

All the issues are left open to be decided by the High Court.

The respondents are granted a period of six weeks from the date of receipt of a copy of this order to file their Counter affidavit(s) before the High Court, raising all contentions thereunder, including the issue(s) pertaining to limitation, if so required.

The appeal stands allowed, accordingly.

Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[PRASANNA B. VARALE]

NEW DELHI;
JULY 22, 2026.

ITEM NO.26

COURT NO.3

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 66929/2025

[Arising out of impugned final judgment and order dated 11-01-2024 in WP(C) No. 16324/2018 passed by the High Court of Orissa at Cuttack]

G SATYANARAYAN

Petitioner(s)

VERSUS

ODISHA STATE WAREHOUSING CORPORATION & ORS. Respondent(s)

IA No. 6373/2026 - CONDONATION OF DELAY IN FILING

IA No. 6379/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

IA No. 6375/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 22-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. Gaurav Agrawal, Sr. Adv.
Mr. Mohit Khajanchi, Adv.
Mr. Aniket Vijay Seth, AOR

For Respondent(s) Mr. Ashok Panigrahi, Sr. Adv.
Mr. S. Mishra, Adv.
Mr. Padmesh Mishra, AOR
Mr. Nikunj Goyal, Adv.

Mr. Purushottam Sharma Tripathi, AOR
Mr. Rajiv Kumar, Adv.
Ms. Ravi Chandra Prakash, Adv.
Ms. Vani Vyas, Adv.
Mr. Rakesh Mohan, Adv.
Mr. Prakhar Singh, Adv.

UPON hearing the counsel, the Court made the following

O R D E R

Delay condoned.

Leave granted.

The appeal stands allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR

[Signed order is placed on the file]